

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HANNA BOUVENG,

Plaintiff,

- against -

NYG CAPITAL LLC, ET AL.,

Defendants.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 6/29/07

14 Civ. 5474 (PGG)

**VERDICT FORM**

**PLEASE CHECK (✓) YOUR ANSWERS**

**All jurors must agree on the answers to all questions.**

**LIABILITY**

**New York State and City Human Rights Law *Quid Pro Quo* Sexual Harassment Claims**

1. Has Ms. Bouveng proven, by a preponderance of the evidence, that she was subjected to quid pro quo sexual harassment in violation of the New York State and City Human Rights Laws:

- a. by Benjamin Wey?

Yes  No \_\_\_\_\_

- b. by NYG Capital LLC (a/k/a "New York Global Group")?

Yes  No \_\_\_\_\_

- c. by FNL Media LLC?

Yes  No \_\_\_\_\_

**New York State Human Rights Law Retaliation Claim**

2. Has Ms. Bouveng proven, by a preponderance of the evidence, that she was subjected to retaliation in violation of the New York State Human Rights Law:

- a. by Benjamin Wey?

Yes  No \_\_\_\_\_

b. by NYG Capital LLC (a/k/a "New York Global Group")?

Yes

No \_\_\_\_\_

c. by FNL Media LLC?

Yes

No \_\_\_\_\_

If you answered "YES" to any part of Question 2, answer the corresponding part of Question 3 below. (For example, answer Question 3a if, and only if, you answered "YES" to Question 2a.) If you answered "NO" to Questions 2a through 2c, proceed to Question 4.

3.

a. Has Benjamin Wey proven, by a preponderance of the evidence, his affirmative defense to Ms. Bouveng's New York State Human Rights Law retaliation claim?

Yes \_\_\_\_\_

No

b. Has NYG Capital LLC (a/k/a "New York Global Group") proven, by a preponderance of the evidence, its affirmative defense to Ms. Bouveng's New York State Human Rights Law retaliation claim?

Yes \_\_\_\_\_

No

c. Has FNL Media LLC proven, by a preponderance of the evidence, its affirmative defense to Ms. Bouveng's New York State Human Rights Law retaliation claim?

Yes \_\_\_\_\_

No

#### New York City Human Rights Law Retaliation Claim

4. Has Ms. Bouveng proven, by a preponderance of the evidence, that she was subjected to retaliation in violation of the New York City Human Rights Law:

a. by Benjamin Wey?

Yes

No \_\_\_\_\_

b. by NYG Capital LLC (a/k/a "New York Global Group")?

Yes

No \_\_\_\_\_

c. by FNL Media LLC?

Yes

No \_\_\_\_\_

If you answered "YES" to any part of Question 4, answer the corresponding part of Question 5 below. (For example, answer Question 5a if, and only if, you answered "YES" to Question 4a.) If you answered "NO" to Questions 4a through 4c, proceed to Question 6.

5.

a. Has Benjamin Wey proven, by a preponderance of the evidence, his affirmative defense to Ms. Bouveng's New York City Human Rights Law retaliation claim?

Yes \_\_\_\_\_ No

b. Has NYG Capital LLC (a/k/a "New York Global Group") proven, by a preponderance of the evidence, its affirmative defense to Ms. Bouveng's New York City Human Rights Law retaliation claim?

Yes \_\_\_\_\_ No

c. Has FNL Media LLC proven, by a preponderance of the evidence, its affirmative defense to Ms. Bouveng's New York City Human Rights Law retaliation claim?

Yes \_\_\_\_\_ No

### Assault Claim

6. Has Ms. Bouveng proven, by a preponderance of the evidence, that she was subjected to assault by Benjamin Wey?

Yes \_\_\_\_\_ No

### Battery Claim

7. Has Ms. Bouveng proven, by a preponderance of the evidence, that she was subjected to battery by Benjamin Wey?

Yes \_\_\_\_\_ No

### Defamation Claim

8. Has Ms. Bouveng proven, by a preponderance of the evidence, that she was subjected to defamation:

a. by Benjamin Wey?

Yes  No \_\_\_\_\_

b. by NYG Capital LLC ("New York Global Group")?

Yes  No \_\_\_\_\_

c. by FNL Media LLC?

Yes  No \_\_\_\_\_

### **COMPENSATORY DAMAGES**

If you answered "YES" to Question 6, answer Question 9.

#### **Assault Claim**

9. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to compensatory damages for her assault claim from Benjamin Wey?

Yes \_\_\_\_\_ No

a. If "Yes," what amount of compensatory damages will fairly compensate Ms. Bouveng for the injuries she suffered?

\$ \_\_\_\_\_

If you answered "YES" to Question 7, answer Question 10.

#### **Battery Claim**

10. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to compensatory damages for her battery claim from Benjamin Wey?

Yes \_\_\_\_\_ No

a. If "Yes," what amount of compensatory damages will fairly compensate Ms. Bouveng for the injuries she suffered?

\$ \_\_\_\_\_

If you answered "YES" to any part of Question 1, answer Question 11.

#### **New York State and City Human Rights Law *Quid Pro Quo* Sexual Harassment Claims**

11. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to compensatory damages for her New York State and City Human Rights Law *quid pro quo* sexual harassment claims?

Yes  No \_\_\_\_\_

a. If "Yes," what amount of compensatory damages will fairly compensate Ms. Bouveng for the injuries she suffered?

\$ 500,000

If you answered "YES" to any part of Question 8, answer Question 12.

### Defamation Claim

12. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to compensatory damages for her defamation claim?

Yes ✓      No \_\_\_\_\_

a. If "Yes," what amount of compensatory damages will fairly compensate Ms. Bouveng for the injuries she suffered?

\$ 1,500,000

If you answered "YES" to any part of Question 2 and answered "NO" to the corresponding part of Question 3, or if you answered "YES" to any part of Question 4 and answered "NO" to the corresponding part of Question 5, answer Question 13.

### New York State and City Human Rights Law Retaliation Claims

13. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to compensatory damages for her New York State or City Human Rights Law retaliation claims?

Yes ✓      No \_\_\_\_\_

a. If "Yes," what amount of compensatory damages will fairly compensate Ms. Bouveng for the injuries she suffered?

\$ 1

If you answered "YES" to Questions 12 and 13, answer Question 13b.

b. Of the number you found in response to Question 13a, how much of that number represents compensation for additional harm that Ms. Bouveng suffered that is not included in your response to Question 12a? That is, how much of that number represents additional harm that is not the result of the alleged defamatory statements?

\$ 0

## **PUNITIVE DAMAGES**

If you answered “YES” to Question 9, answer Question 14.

### **Assault Claim**

14. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to punitive damages for her assault claim from Benjamin Wey?

Yes \_\_\_\_\_ No

If you answered “YES” to Question 10, answer Question 15.

### **Battery Claim**

15. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to punitive damages for her battery claim from Benjamin Wey?

Yes \_\_\_\_\_ No

If you answered “YES” to Question 11, answer Question 16.

### **New York City Human Rights Law *Quid Pro Quo* Sexual Harassment Claim**

16. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to punitive damages for her New York City Human Rights Law *quid pro quo* sexual harassment claim:

a. from Benjamin Wey?

Yes \_\_\_\_\_ No

b. from NYG Capital LLC (a/k/a “New York Global Group”)?

Yes \_\_\_\_\_ No

c. from FNL Media LLC?

Yes \_\_\_\_\_ No

If you answered "YES" to Question 12, answer Question 17.

### **Defamation Claim**

17. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to punitive damages for her defamation claim:

a. from Benjamin Wey?

Yes  No \_\_\_\_\_

b. from NYG Capital LLC (a/k/a "New York Global Group")?

Yes  No \_\_\_\_\_

c. from FNL Media LLC?

Yes  No \_\_\_\_\_

If you answered "YES" to Question 13, answer Question 18.

### **New York City Human Rights Law Retaliation Claim**

18. Has Ms. Bouveng proven, by a preponderance of the evidence, that she is entitled to punitive damages for her New York City Human Rights Law retaliation claim:

a. from Benjamin Wey?

Yes  No \_\_\_\_\_

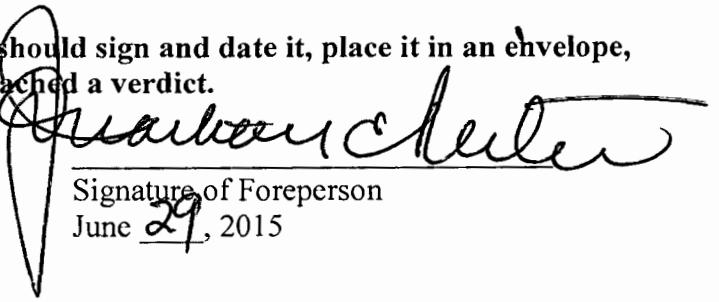
b. from NYG Capital LLC (a/k/a "New York Global Group")?

Yes  No \_\_\_\_\_

c. from FNL Media LLC?

Yes  No \_\_\_\_\_

After completing this form, the Foreperson should sign and date it, place it in an envelope, and inform the Marshal that the jury has reached a verdict.

  
Signature of Foreperson  
June 29, 2015